
HOUSE BILL No. 1174

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-33-6-2.

Synopsis: Juvenile confessions. Prohibits an owner or agent of a store from asking a person to sign a written instrument that acknowledges that the person shoplifted in the store or waives any of the person's legal rights if: (1) the person is less than 18 years of age; and (2) no parent or guardian of the person is present at the time the person is asked to sign the written instrument.

Effective: July 1, 2009.

Riecken

January 12, 2009, read first time and referred to Committee on Judiciary.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1174

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-33-6-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) An owner or
3 agent of a store who has probable cause to believe that a theft has
4 occurred or is occurring on or about the store and who has probable
5 cause to believe that a specific person has committed or is committing
6 the theft:

7 (1) may:

8 (†) (A) detain the person and request the person to identify
9 himself **or herself**;

10 (‡) (B) verify the identification;

11 (‡) (C) determine whether the person has in ~~his~~ **the person's**
12 possession unpurchased merchandise taken from the store;

13 (†) (D) inform the appropriate law enforcement officers; and

14 (‡) (E) inform the **person's** parents or others interested in the
15 person's welfare that the person has been detained; **and**

16 (2) **shall not ask the person to sign a written instrument that**
17 **acknowledges that the person committed the theft or waives**



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1 **any of the person's legal rights if:**

2 **(A) the person is less than eighteen (18) years of age; and**

3 **(B) no parent or guardian of the person is present at the**
4 **time the person is asked to sign the written instrument.**

5 (b) The detention must:

6 (1) be reasonable and last only for a reasonable time; and

7 (2) not extend beyond the arrival of a law enforcement officer or
8 two (2) hours, whichever first occurs.

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